

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 90-267-C - ORDER NO. 90-679 ✓  
JULY 17, 1990

IN RE: Application of Mobilcom, a	)	
South Carolina general partner-	)	
ship, d/b/a Pagecom, for the	)	
issuance of a Certificate of	)	
Public Convenience and Necessity	)	ORDER GRANTING
to provide personal signaling	)	CERTIFICATE
(paging) service in Orangeburg,	)	AS AMENDED
Calhoun, Bamberg, Barnwell,	)	
Allendale, Aiken, and Hampton	)	
Counties as a radio common	)	
carrier.	)	

This matter comes before the Public Service Commission of South Carolina (the Commission) by way of an Application filed by Mobilcom, a South Carolina general partnership, d/b/a Pagecom (the Company or Pagecom) requesting a Certificate of Public Convenience and Necessity authorizing it to operate as a radio common carrier (RCC) in certain counties in the State of South Carolina. The Application was filed pursuant to S.C. Code Ann., §58-11-10 and §58-11-470 (Cum. Supp. 1989) and R.103-834 of the Rules of Practice and Procedure of the Commission.

This matter was duly noticed and a public hearing was held on July 10, 1990, at 11:00 a.m. in the Commission's Hearing Room, the Honorable Marjorie Amos-Frazier, presiding. John M.S. Hoefer, Esquire, represented Pagecom; and Marsha A. Ward, General Counsel,

of the request of the Company for certification to operate as a radio common carrier in certain counties in South Carolina. Mr. Council spoke to the organizational structure of the Applicant, the nature of the services it seeks to provide, the manner in which those services will be provided, the ability of the Applicant to provide a high quality service in a reliable manner and the need for the service. Based on the testimony and evidence presented, the Commission makes the following findings and conclusions:

1. That Mobilcom was formed in 1986 by Mr. Council and Mr. Arthur R. Dodd for the purpose of engaging in the radio communications business.
2. That commencing in June of 1986 and through January of 1989, Pagecom sold personal signaling (paging) service pursuant to PCP authority from the FCC in the counties where Pagecom now seeks authority.
3. That in January 1989, Pagecom ceased selling paging services on its FCC authorized PCP frequency and began selling paging services on a FCC radio common carrier public land mobile service frequency which Mr. Dodd and Mr. Council had obtained in December 1988 from the FCC.
4. That Pagecom desired to serve governmental entities on its paging services but could only do so under RCC authority.
5. That Pagecom alleges that it was not aware that authority was required from this Commission to provide RCC service.
6. That Pagecom is proposing to offer one-way personal signaling (paging) service in Orangeburg and Calhoun counties as a

represented the Commission Staff. No one appeared in opposition to the Application.

The Commission notes at the outset, that the Commission Staff had previously filed a Complaint with the Commission on March 13, 1990, concerning certain RCC operations in Orangeburg, Calhoun, Barnwell and Hampton Counties. Two of the Respondents named in the Complaint, Messrs. Dodd and Council are the general partners of Mobilcom, a South Carolina General Partnership d/b/a Pagecom. In response to the Commission Staff Complaint, Mobilcom d/b/a Pagecom filed its Application for RCC authority with the Commission and simultaneously agreed to enter into a Consent and Stipulation in which it agreed that it would not until such time as it has received authority from this Commission to operate as a RCC, serve any additional customers on the FCC frequency licensed for RCC service, and would serve new customers on its FCC frequency licensed for private carrier paging (PCP) service. In the event that the Application for authority is not granted, Pagecom agreed it would convert all of its existing customers on the RCC frequency eligible for conversion to the PCP frequency and terminate all service to any customers which could not be so converted. The Company has been operating under this Consent and Stipulation Agreement up until the time of the hearing and continues to do so.

The Company presented the testimony of James R. Council, Jr., President and owner of Council Lumber Company, Inc., owner of Council Energy and General Partner in Skyline Communications and Mobilcom. Mr. Council provided a brief overview and explanation

reseller of radio common carrier paging services from Dial-Page, LP. Dial-Page presently has RCC authority in the counties of Orangeburg and Calhoun. Pagecom proposes to use Dial-Page's facilities for those customers requesting RCC service for the counties of Orangeburg and Calhoun. Pagecom is also seeking authority to provide RCC service in the counties of Bamberg, Barnwell, Allendale and Hampton by using its own facilities. Pagecom will provide service over its own facilities if a customer requires RCC authority in all the requested counties, but will resale the services of Dial-Page if a customer requests its service area to be limited to Calhoun and Orangeburg Counties.

7. That Pagecom filed an amendment to its original Application requesting to resale service in Orangeburg and Calhoun Counties and eliminating Aiken County from its requested service area.

8. That Pagecom has been authorized by the FCC to provide public paging service in the area for which certification is sought.

9. That Pagecom will serve all customers in the counties applied for which have a need for service within its reliable service area. Pagecom does not intend to market its services in those counties outside of its requested area, but a portion of which may be included in its reliable service area.

10. That Pagecom presently maintains two operational transmitters which are mounted on towers located at Sandy Run and Orangeburg, South Carolina and that it plans to have additional

transmitters on towers located at Elko and Varnville, South Carolina. The Company's control point is in Orangeburg.

11. That technicians will conduct periodic on-site inspections of all radio and transmission equipment. In addition to performing day to day operations and maintenance functions, technicians will be available on a twenty-four hour basis for emergency system repairs. Within a short period of time, the Company can promptly substitute a replacement transmitter and also maintains a sufficient stock of pagers to enable the Company to replace a malfunctioning receiver upon demand. The switching equipment contains redundant circuitry to minimize potential component failure.

12. That Pagecom will rely upon Dodd Communications, Inc. and its staff to implement the maintenance plan described herein. Dodd Communications, Inc. has four employees as technicians and maintains other RCC systems in the area for Alltel and Morris Communications.

13. That the Company attached financial projections to the Application based upon its present experience. Because of its prior PCP operations, Pagecom has already acquired and has in place the necessary electronic equipment to provide this service and has available other personal resources of its partners to draw upon, should the need arise.

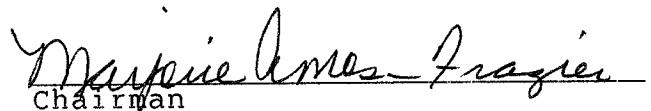
14. That the Company's Application did not request rates, and approval of this Application is for a Certificate of Public Convenience and Necessity only.

15. That the Company has demonstrated a need for its paging services by providing PCP service to customers for over five years. In the four remaining counties proposed to be served by Pagecom, there are no existing carriers offering the services sought to be provided. Additionally, many of the customers served by Pagecom's PCP frequency reside in the four other counties.

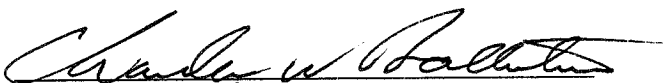
16. Therefore, Pagecom, through its testimony and exhibits, has demonstrated to the Commission that it is fit, willing and able to provide the requested service in the area sought in its amended Application. The Commission will herein authorize Mobilcom d/b/a Pagecom to provide RCC services by reselling those of Dial-Page, LP in the counties of Orangeburg and Calhoun, and by providing RCC service over its own facilities in the counties of Bamberg, Barnwell, Allendale and Hampton. The Commission further finds that Mobilcom d/b/a Pagecom may file for approval of rates and charges at its earliest convenience.

IT IS SO ORDERED.

BY ORDER OF THE COMMISSION:

  
Chairman

ATTEST:

  
Executive Director  
(SEAL)